UNITED STATES BANKRUPTCY COURT DISTRICT OF MINNESOTA

In RE:

LOTT, SANDRA, K., LOTT, KEVIN G., Case No.: 04-60832

Chapter 7

Debtors

DEBTOR'S MEMORANDUM RESPONSE TO MOTION OBJECTING TO EXEMPT PROPERTY

TO: The United States Bankruptcy Court, The United States Trustee, and TrusteeVelde.

- Debtors, by and through their attorney, Terry Graff, Graff Law Office
 Incorporated, files this Memorandum Response to the Trustee's Motion Objecting to
 Exempt Property.
- 2. The Court is scheduled to hold a hearing on this matter at 10:00 a.m. on September 29, 2004, in the U.S. Bankruptcy Court, 204 US Courthouse 118 South Mill Street, Fergus Falls, Minnesota.
- 3. The Debtors exempted the following mechanics tools under MSA § 550.37(6): toolbox valued at \$600.00 (Six Hundred Dollars); mechanics tools valued at \$4,000.00 (Four Thousand Dollars); and, 2 (Two) Z hoists valued at \$4,000.00 (Four Thousand Dollars). Debtors assert that this exemption is appropriate and valid under said statute.
- 4. Debtor, Kevin Lott, has engaged in business under the name Lott's Repair. The business is located at an address separate from his home address. Exhibit 1, is a copy of his business card.

- 5. Debtor, Kevin Lott, upon his release from incarceration, will need to have a source of income and employment. If the Court requires him to sell off his equipment and tools, he will have no business and no way to replace the tools.
- 6. If it is determined that the exemption on jewelry is not proper, arrangements will be made as appropriate.

Respectfully Submitted:

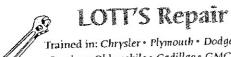
Dated: September 15, 2004

Signed:

Terry Graff

Attorney for Sandra & Kevin Lott Graff Law Office Incorporated 1001 Center Avenue, Suite H-1 Moorhead, MN 56560-2080 (218) 291-1429

MN License Number 0255063



Trained in: Chrysler · Plymouth · Dodge · Ford Pontiac · Oldsmobile · Cadillac · GMC Truck

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Kevin Lott

18 Yr. Master Jechnician

Phone. 234 9502 Tax: 291-1607

1513 99th Ave. S., Moorhead, MN 56560 ...

UNITED STATES BANKRUPTCY COURT

District of Minnesota

IN RE: Sandra K. Lott)	
and)	AFFIDAVIT OF SERVICE BY MAIL
Kevin G. Lott)	Bankruptcy Case No. 04-60832

The undersigned, being first duly sworn, deposes and says that s/he is of legal age and that on September 15, 2004 she served and filed the following attached documents:

- 1. Debtor's Response to Trustee's Motion in Objection to Property Exemptions with Copy of Business Card for Kevin Lott as Exhibit One
- 2. Affidavit of Service

upon the following person or entities:

Trustee David G.	Velde
1118 Broadway	
Alexandria, MN	56308

US Bankruptcy Court 209 PO Bldg

118 S Mill St.

Fergus Falls, MN 56308

Office of the US Trustee

1015 US Courthouse 300 S. 4 Street

Minneapolis, MN 55415

by first-class mailing of a properly addressed envelope and depositing it at the U.S. Post Office in

Moorhead, MN 56560

Dated: September 15, 2004

Paula Strom-Sell

Subscribed and sworn to before on September 15, 2004

Notary

TERRY A. GRAFF
NOTARY PUBLIC—MINNESOTA
My Commission Expires JAN. 31, 2005